

Message

From: Pero, Haley (Sanders) [Haley_Pero@sanders.senate.gov]
Sent: 3/16/2016 1:45:02 PM
To: Twigg, George [George.Twigg@mail.house.gov]; Brown, Rudy [Brown.Rudy@epa.gov]; Berry, Tom (Leahy) [Tom_Berry@leahy.senate.gov]
Subject: RE: Filed Swam Valley Cheese Consent Agreement

Yes, thanks for the update. Glad to hear this is resolved.

From: Twigg, George [mailto:George.Twigg@mail.house.gov]
Sent: Tuesday, March 15, 2016 5:49 PM
To: Brown, Rudy <Brown.Rudy@epa.gov>; Berry, Tom (Leahy) <Tom_Berry@leahy.senate.gov>; Pero, Haley (Sanders) <Haley_Pero@sanders.senate.gov>
Subject: RE: Filed Swam Valley Cheese Consent Agreement

Thanks Rudy – appreciate the update, and glad to hear that the facility is back up and running.
-George

From: Brown, Rudy [mailto:Brown.Rudy@epa.gov]
Sent: Tuesday, March 15, 2016 4:20 PM
To: Tom Berry; Haley Pero; Twigg, George
Subject: FW: Filed Swam Valley Cheese Consent Agreement

Tom, Haley, George,

Our Regional Administrator just signed the final order. The Swan Valley Cheese CAFO is filed. A press release may go out tomorrow.

EPA Region 1 Files Consent Agreement to Resolve CAA 112(r), EPCRA, and CERCLA 103 Penalty Claims Against Swan Valley Cheese of Vermont LLC and Jonergin Realty LLC,
On March 15, 2016, EPA Region 1 reached a settlement with Swan Valley Cheese of Vermont LLC and Jonergin Realty LLC to resolve violations of the Clean Air Act's General Duty Clause, EPCRA, and CERCLA Section 103. Respondents own and operate a cheese making facility in Swanton, Vermont that used ammonia as a refrigerant in its refrigeration system. After a release of ammonia on February 6, 2015, EPA inspectors visited the facility twice, once with the help of a refrigeration expert. The inspections revealed dangerous conditions, so EPA sent Respondents a detailed written notice of the conditions on May 13, 2015, a draft CAA compliance order in July 2015, and a final compliance order in August 2015. Respondents removed the ammonia and shut down the facility a month later. To facilitate Respondents' attempts to finance a new refrigeration system and reopen the Facility, EPA conducted an expedited ability-to-pay review and obtained a Department of Justice waiver to handle the penalty stage of the case administratively. The ability-to-pay review suggested that a lowered penalty of \$100,000 would be appropriate, and Respondents have agreed to pay it. The facility has since reopened. Contact: Len Wallace at 617-918-1835 or Catherine Smith, legal, at 617-918-1777. Docket Numbers CAA-01-2016-0014; CERCLA-01-2016-0016; and EPCRA-01-2016-0015.